

The York County Board of Commissioners met according to law on September 8, 2009 at 9:36 a.m. as per notice in the York News Times on September 3, 2009, with Vice Chairman, Eugene Bergen presiding, with Steve Neujahr, Kurt Bulgrin and Patricia Bredenkamp. Also present was Steve Moseley, correspondent for the York News Times and Bo Blackman, representing the KAWL Radio Station. Commissioner Augustus M. Brown, Jr. was absent.

The agenda of the meeting was posted on the bulletin board in the County Clerk's office and a copy of the agenda was made available to each Commissioner.

Bergen announced that the Open Meetings Law was posted on the outside of the door, inside the board room and copies were available in the back of the board room. Proof of publication was also available.

The Board met with Elected Officials and Department heads prior to the regular meeting. No action was taken.

Moved by Bulgrin, seconded by Neujahr to approve the minutes of the York County Board of Commissioners proceedings of August 25, 2009; roll call: yeas, Bulgrin, Neujahr, Bredenkamp, and Bergen; nays, none; Brown absent; motion carried.

Moved by Neujahr, seconded Bredenkamp to approve the agenda as presented; roll call: yeas, Neujahr, Bredenkamp, Bulgrin and Bergen; nays, none; Brown absent; motion carried.

There were no General Assistance cases to be brought before the Board.

The Board reviewed the payroll and vendor claims.

Moved by Bredenkamp, seconded by Neujahr to approve payroll in the amount of \$112,473.23 and vendor claims as presented and direct the County Treasurer to transfer money from the specifically designated county funds to the Imprest Account fund; roll call: yeas, Bredenkamp, Neujahr, Bulgrin and Bergen; nays, none; Brown absent; motion carried.

<u>Fund</u>	<u>Name</u>	<u>Description</u>	<u>Total</u>
Gen, Rd	Alltel	Telephone Service	271.53
Rd	Applied Controls	Repair Parts	93.38
Visitors Prom	Avery Outdoor	Billboard Rental	240.00
Gen	Bob Barker Company, Inc.	Supplies	128.36
Visitors Prom	Benedict Community Association	Grant	932.14
Gen, Rd	Black Hills Energy	Heating Fuels	231.91
Gen	Blue Knight Security, Inc.	Security Contract	1,032.00
Gen	Patricia Bredenkamp	Mileage	93.50
Gen	Butler County Sheriff	Court Costs	59.20
Gen	Lori Byers	Reimbursement	57.77
Rd	Car Parts Inc.	Repair Parts	160.60
Visitors Prom	Central Nebraska Tourism	Membership Dues	500.00
Visitors Imprv	City of York	Water Tower	
		Cleaning	7,866.67
Gen	Clerk of the Supreme Court	Court Costs	122.00
Rd	Constellation NewEnergy Gas Div	Heating Fuels	121.22
Gen	Teresa Contatore	Reimbursement	126.75
Data Proc	Cornerstone Bank	Data Proc Equip	57.60
Weed	Crop Production Services	Weed Control	307.50
Gen	Crossroads Awards	Supplies	51.36
Gen	Dawson County Sheriff	Court Costs	20.00
Data Proc	DDSS, Inc.	Time Clocks	352.00
Gen, Data Proc	Dell Marketing L.P.	Office Equip	1,340.11
Gen	Dollar General Store	Supplies	1.00
Gen	Douglas County Sheriff	Court Costs	8.32
Gen	Dugan Business Forms	Office Supplies	606.90
Gen, Aging	Eakes Office Plus	Office Supplies	202.16
Rd	Farm Plan	Shop Tools	1,154.88
Rd	Fastenal Industrial & Const Supply	Shop Supplies	22.48
Gen	Fillmore County Court	Court Costs	8.00
Rd	Filter Care	Repair Parts	178.15
Visitors Prom	First Bankcard	Supplies	458.06
Gen	First Concord Benefits Group, LLC	Insurance	8,074.55
Rd	Flail-Master	Grader Blades	48.20
Gen	Grand Central Foods	Supplies	3,171.41
		Maintenance	
Gen	Guardian Corrections Systems	Agreement	1,598.00
Gen	Hall County Court, District Nine	Court Costs	5.25
Gen	Hall County Sheriff	Court Costs	23.22
Rd	Hansen International Truck Inc.	Repair Parts	86.04
Visitors Prom	Henderson Chamber of Commerce	Grant	1,400.00
Rd	The Henderson News	Publication	40.00
Aging	Jane Hoeft	Mileage	14.30
Gen	Hometown Leasing	Equip Rental	494.90
		Building	
Gen	Jackson Services, Inc.	Maintenance	85.00

Gen, Rd	JEO Consulting Group, Inc.	Engineering	5,582.00
Gen	JM Monograms, Inc.	Supplies	36.95
Rd	Johnson Sand & Gravel Co, Inc.	Gravel	4,852.32
Visitors Prom	Kerry's Restaurant & Catering, Inc.	Meals	158.25
Rd	Kirkham Michael Engineers	Engineering	724.56
Gen	Kopchos Sanitation, Inc.	Garbage	140.00
Gen	Eileen Krumbach	Mileage	171.60
Rd	Kully Pipe & Steel Supply	Steel Products	403.91
Visitors Prom	The Lamar Companies	Billboard Rental	460.00
Gen	Lancaster County Sheriff	Court Costs	26.90
Rd	Lawson Products, Inc.	Shop Supplies	77.02
Rd	Linweld, Inc.	Shop Supplies	29.80
Visitors Prom	Magic Media, Inc.	Billboard Rental	435.00
Data Proc, Aging	Mainstay Technologies, LLC	Internet	214.95
Gen	Jamie Martelle	Court Costs	183.70
		Building	
Gen	Mason Electric	Maintenance	107.25
Rd	Mead Lumber & Rental - York	Repair Parts	171.00
Gen	Ryan Mick-Monfre	Court Costs	68.75
Rd	Midwest Service & Sales	Grader Blades	1,822.00
Gen, Data Proc	MIPS Inc.	Data Proc Equip	1,404.28
		Vehicle	
Gen	Mogul's Transmission, Inc.	Maintenance	483.12
		Building	
Gen	Ne Air Filter, Inc.	Maintenance	222.42
Inher Tax	Ne Dept of Health & Human Services	Facility Rental	7,052.00
Visitors Imprv	Ne Life	Tourism Promotion	225.00
		Drug & Alcohol	
Drug Testing	Ne Public Health Environmental Lab	Tests	252.00
Gen, Rd	Ne Public Power District	Electricity	6,259.50
Rd	Ne Truck & Equipment Co., Inc.	Repair Parts	2,861.22
Rd	Nebraskaland Glass	Repair Labor	85.00
Gen	Steve Neujahr	Mileage	77.00
Rd	NMC Exchange LLC	Grader Blades	2,281.60
Aging	Anita Norquest	Mileage	63.80
Gen	North Office Supply	Office Supplies	479.99
		Maintenance	
Gen	O'Keefe Elevator Company, Inc.	Agreement	354.53
Rd	Orscheln Farm & Home	Repair Parts	46.13
Rd	Overland Sand & Gravel Company	Gravel	5,162.30
Gen	Pamida Stores Operation Co LLC	Medical-Prisoners	90.84
Rd	Penner's Tire & Auto, Inc.	Tire Repair	190.65
		Coroner/Autopsy	
Gen	Pentico Trade Service & Crematory	Costs	478.35
Rd, Visitors Prom	Perennial Public Power District	Electricity	187.15
Gen	Gerald Peterson	Mileage	139.70
Rd	Platte Valley Communications	Repair Parts	33.08
Gen	Polk County Sheriff	Court Costs	18.50
Rd	Power Plan	Repair Parts	418.94
Visitors Prom	R.S. Enterprises	Billboard Rental	310.00
Rd	Rasmussen Auto Parts	Shop Supplies	22.49
Gen	Redfield & Company, Inc.	Office Supplies	465.00
State Inst	Region V Systems	EPC Billing	550.00
		Building	
Gen	Ronco Plumbing	Maintenance	69.50
Rd	Safety-Kleen Systems	Repair Parts	372.00
Rd	Sahling Kenworth Inc.	Repair Parts	55.40
Gen	Don Sandman	Mileage/Meals	404.00
Rd	Sapp Bros. Petroleum, Inc.	Fuel	219.56
Gen	Sarpy County Sheriff	Court Costs	21.72
Visitors Prom	Bob Sautter	Mileage	270.05
Rd	Sellers Equipment, Inc.	Repair Parts	213.42
		Promotional	
Visitors Prom	Service Press	Supplies	639.75
Rd	Snap-On Tools	Shop Tools	39.20
Gen	State of Ne Das Central Finance	Equip Rental	448.00
Rd	Straight-Line Striping, Inc.	Pavement Marking	3,136.64
Gen	Svehla Law Offices	Attorney Fees	2,185.75
Rd	Thermo King Christensen	Repair Parts/Labor	926.39
Sheriff	Time Warner Cable	Subscription	66.71
		Building	
Gen	True Value/Coast to Coast	Maintenance	165.71
Rd	Village of Bradshaw	Electricity	9.30
Visitors Prom	Web Tech Solutions	Website	15.00

		Maintenance	
Gen	Fred Weisheit	Telephone/Mileage	85.96
Rd	Weldon Industries, Inc.	Repair Parts	173.79
Gen, 911, Aging, Relief, Rd	Windstream Communications	Telephone Service	3,436.62
Visitors Prom	York Chamber of Commerce	Grant	985.50
Gen	York County Court	Court Costs	162.00
Visitors Prom	York County Development Corp	Office Expense	4,746.40
Gen	York County District Court	Court Costs	315.00
Gen	York County Highway Dept	Fuel	1,805.49
Gen, Sheriff	York Electronics	Supplies	18.19
Rd	York Equipment, Inc.	Repair Parts	94.03
Rd	York Farm Supply LLC	Repair Parts	119.00
Rd	York Fire Department	Safety Equipment	1,704.55
Gen	York Medical Clinic PC	Medical-Prisoners	40.06
Gen, Rd, Visitors Prom	York News-Times	Publication	325.31
Gen, Aging	York Printing Company, LLC	Office Supplies	142.25
Visitors Prom	York Promotional Products	Promotional Supplies	1,848.37
Gen, Visitors Prom	York Wholesale Company	Supplies	1,160.45
Gen	Gary Zoubek	Mileage	191.40

Chaplain Ted Pearson of the Columbus Rescue Mission; Skip Plock and other interested individuals came before the Board to inform them of the plans to place a rescue mission in the City of York. Their purpose is to preach the Gospel and meet the physical and emotional needs through the provision of shelter, clothing, food, Biblical counseling and structured programs for the poor, needy and those who may be bound and bruised by addictive lifestyles. It is supported 100% by voluntary contributions-no government funds are used.

This was for informational purposes only. No action was taken by the Board.

A public hearing was held at 10:04 a.m. as published on August 27, 2009, to consider a special exception application submitted by Werner Construction Inc. of Hastings. This request is to allow a temporary concrete plant site in the SE ¼ of 32-11-3. Those present at the hearing were: County Commissioners Eugene Bergen, Patricia Bredenkamp, Kurt Bulgrin and Steve Neujahr; Orval Stahr, Zoning Administrator along with Deb Nelsen, Zoning Assistant; Sheriff Dale Radcliff, Steve Moseley and Bo Blackman.

The primary use of the plant is to provide paving materials for the Nebraska Department of Roads project S-L93E Charleston Link.

No one was present from the public to speak to the issue.

The public hearing was closed at 10:13 a.m.

Moved by Bulgrin, seconded by Bredenkamp to approve the Special Exception request for Werner Construction Inc., with the following added conditions:

1. That driveways be removed if it is determined by the Road Highway Superintendent that they should be
2. That the roads that they are using must be returned to the same condition as they were prior to the start of the project
3. That this exception be good through December 31, 2010
4. That the property be returned to its original condition prior to the start of the project

Bulgrin moved and Bredenkamp seconded to amend the motion to add a condition that the roads be returned to the same condition as prior to the project with the approval of the York County Highway Superintendent; roll call on the amended motion: yeas, Bulgrin, Bredenkamp, Neujahr and Bergen; nays, none; Brown absent; motion carried.

When preparing for the installation of time clocks for county offices, it was found that another county within the state credited their employees with a portion of paid vacation from their start date. Under York County's policies, an employee earns six (6) days of paid vacation after one year of employment and is not entitled to a prorated payout of vacation if they should terminate employment prior to completing one year of service. After researching the matter, it was found that completion of one year of employment is a condition precedent to acquiring the six days of vacation. After that condition is satisfied, the vacation becomes vested in the employee. Until such time that the condition has been satisfied, no such vesting takes place, therefore, no action need be taken at this time.

A public hearing was held at 10:31 a.m. as advertised to hear support, criticism, suggestions or observations relating to the proposed York County Budget for 2009-2010. Present at the hearing were: Commissioners Eugene Bergen, Steve Neujahr, Patricia Bredenkamp and Kurt Bulgrin; Mike Teeter, Stan Schulz, Steve Moseley and Bo Blackman.

During the public hearing, Mike Teeter and Stan Schulz with Kilgore Memorial Library came before the Board to present them with a written memo of thanks; *"In uncertain economic times like these, it is well to scrutinize public expenditures to insure that public funds are spent effectively and that essentials are maintained. On behalf of all who benefit directly or indirectly from the services of Kilgore Memorial Library, thank you for your continued support of the library's services, to insure their availability to all our community's residents."*

There were no other public comments during the hearing.

The public hearing was closed at 10:37 a.m.

The Commissioners thanked those who worked on the budget and also the Elected Officials/Department Heads for their cooperation and assistance.

Moved by Neujahr, seconded by Bredenkamp to adopt Resolution #09-69 to accept the 2009-2010 budget as presented; roll call: yeas, Neujahr, Bredenkamp, Bulgrin and Bergen; nays, none; Brown absent; motion carried.

RESOLUTON #09-69

WHEREAS, at the public hearing held on the 8th of September, 2009, on the proposed 2009-2010 York County Budget, the summary of the tentative County Budget as computed against the uncontested valuations of \$1,515,553,787. and \$953,210,686. for County Ambulance was submitted as follows:

County General Fund	\$3,917,518.00
Employment Security	\$14,916.00
County Relief	\$5,050.00
Institutions	\$13,808.00
Debt Service	\$474,700.00
Emergency Management	\$16,160.00
Ambulance	\$142,107.00
TOTAL	\$4,584,259.00

AND WHEREAS, making no changes or adjustments to the proposed 2009-2010 summary of the County Budget.

NOW THEREFORE BE IT RESOLVED by the York County Board of Commissioners, that the County Budget be adopted.

DATED this 8th day of September, 2009.

At this time, it is necessary to make budgeted interfund transfers to the Area on Aging Fund and Data Processing Fund.

Moved by Bredenkamp, seconded by Neujahr to adopt Resolution #09-70 transferring \$10,000. from the Miscellaneous General Fund to the Data Processing Fund; roll call: yeas, Bredenkamp, Neujahr, Bulgrin and Bergen; nays, none; Brown absent; motion carried.

RESOLUTION #09-70

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 8th day of September 2009, and discussed the fact that in the proposed budget for 09-10, the Data Processing Fund would be funded by way of interfund transfers from the Miscellaneous General Fund; and

WHEREAS, at this time it is necessary to transfer proposed budgeted funds in order to meet obligations in the amount of \$10,000.00;

NOW BE IT RESOLVED, that the York County Treasurer shall transfer the sum of \$10,000.00 budgeted dollars from the Miscellaneous General Fund to the Data Processing Fund for the budget year of 2009-20010.

Dated this 8th day of September, 2009.

Moved by Bredenkamp, seconded by Bulgrin to transfer \$43,000.00 as budgeted from the Inheritance Tax Fund to the Area on Aging Fund; roll call: yeas, Bredenkamp, Bulgrin, Neujahr and Bergen; nays, none; Brown absent; motion carried.

RESOLUTION #09-71

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 8th day of September 2009, and discussed the fact that in the proposed budget for 09-10, the Area on Aging Fund would be funded by way of interfund transfers from the Inheritance Tax Fund; and

WHEREAS, at this time it is necessary to transfer proposed budgeted funds in order to meet obligations in the amount of \$43,000.00;

NOW BE IT RESOLVED, that the York County Treasurer shall transfer the sum of \$43,000.00 budgeted dollars from the Inheritance Tax Fund to the Area on Aging Fund for the budget year of 2009-20010.

Dated this 8th day of September, 2009.

Bids for a "Used Packer" were opened at 10:45 a.m. as advertised on August 27, 2009. The following bids were received:

Murphy Tractor, Grand Island, NE	2007 Hamm 3412 Padfoot	\$58,756.00
Nebraska Machinery Co., Lincoln, NE	2005 Cat CP-563E OROPS	\$62,000.00
	2006 Cat CP-563E w/cab	\$71,500.00

2005 Cat CP563E w/cab

\$62,500.00

Highway Superintendent, Don Robb reviewed the bids and recommended that the Board go with the 2006 Cat 563 packer for \$71,500.

It was felt that the bids received were based on the bid specs which were for a non-cab unit, however, two of the bids and also the recommendation of the Highway Superintendent was for a cabbed unit, it was therefore felt that the bids should be rejected.

Moved by Neujahr, seconded by Bulgrin to reject all bids; roll call: yeas, Neujahr, Bulgrin, Bredenkamp and Bergen; nays, none; Brown absent; motion carried.

The bids will be readdressed at a future meeting.

County Sheriff Radcliff, Bob Hose and Gail Nordlund came before the Board to discuss the State Statutes which apply to the Commercial Dog and Cat Operator Inspection Act which was amended by LB241 during the 2009 legislative session and became operative August 30, 2009. The statute reads as follows:

Statute 54-626(1) was amended to expand the definition of an animal control facility to include those nongovernmental facilities which are conducting animal control duties for the state or a political subdivision. As amended, §54-626(1) reads:

Animal control facility means a facility operated by, or under contract with, the state or any political subdivision of the state, for the purpose of impounding or harboring seized, stray, homeless, abandoned, or unwanted animals.

Additionally, §54-627(6) was amended to allow for an exemption to the licensing requirements for the state or a political subdivision, itself, if the state or political subdivision contracts with another licensed animal control facility or a licensed animal control facility or a licensed animal shelter to conduct its animal control duties. As amended, §54-627(6) reads:

The state or any political subdivision of the state which contracts out its animal control duties to a facility not operated by the state, or any political subdivision of the state, may be exempted from the licensing requirements of this section, if such facility is licensed as an animal control facility or animal shelter for the full term of the contract with the state or its political subdivision.

It was noted that if a political subdivision utilizes a private veterinary clinic for housing its impounded animals, either the political subdivision or the veterinary clinic would need to obtain an animal control facility license. At the present time, Adopt-A-Pet is housing animals for the county. Hose advised that they are a licensed facility. They are being partially funded through the 2009-2010 budget in the amount of \$4,000.00. The amount of funding was questioned by Mr. Hose. He advised that he would have to contact the Adopt-A-Pet board to see if they would be able to continue the service they are now providing if the amount of funding by the county would only be \$4,000.00.

The matter was tabled until a future date.

Committee reports were given.

County Clerk, Cynthia D. Heine and Clerk of the District Court, Sharilyn Ramsey submitted their August fee reports in the respective amounts of \$9,142.93 and \$2,025.56. The reports were reviewed and placed on file.

Brenda Scavo, County Treasurer, submitted the August Fund Balances.

General	\$1,347,326.07
Roads	\$793,419.60
Juvenile Diversion	\$4,737.10
Data Processing	\$2,440.72
Unemployment Security	\$7,217.31
Area on Aging	\$3,884.96
Relief & Medical	\$31,274.77
State Institutions	\$5,642.66
Veterans Aid	\$0.00
Busy Wheels	\$7,120.00
STOP	\$9,411.06
Drug Testing	\$5,682.58
Homeland Security	\$0.00
Debt Service	\$150,884.83
Inheritance Tax	\$1,586,341.02
Emergency Mgmt	\$45,752.11
Law Enforcement Operations	\$19,872.66
Hwy Alloc Proj	\$0.00
Courthouse Bldg	\$7,426.65
Handicapp Access.	\$8,189.37
Noxious Weed	\$24,030.95
Ambulance	\$79,898.89
911 Emergency	\$62,858.67
Comm Dev Blk Grant	\$7.40
Visitors Impr	\$144,689.46
Visitors Prom	\$44,984.57

The Chairman declared the meeting adjourned at 11:45 a.m. The next regular meeting will be September 22, 2009 at 8:30 a.m. with Elected Officials/Department Heads; 9:20 a.m. with the General Assistance Administrator and 9:35 a.m. in the County Commissioners Room, lower level of the Courthouse for the regularly scheduled meeting.

Augustus M. Brown, Jr., Chairman
York County Commissioners

Cynthia D. Heine, County Clerk
York, Nebraska